



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

In re:

Joan Samuel Hanna

Debtor

Chapter 11  
23-10429-CJP

PROCEEDING MEMORANDUM AND ORDER

**MATTER:**

#109 Emergency Motion filed by Creditor John Hanna For Order to Assign Rights.

**Decision Set Out More Fully as Follows:**

Upon consideration of the *Motion of John Hanna to Assign Rights Under 11 U.S.C. § 363(i) Allowing Assignee to Acquire Property Free and Clear Under 11 U.S.C. § 363* [Dkt. No. 109] (the "Motion") filed by John Hanna (the "Movant") and the supporting affidavits filed with the Motion, the objection thereto [Dkt. No. 115] of Boston Capital Investment Group, LLC, the argument of counsel and evidence presented at the emergency hearing held on December 12, 2023 (the "Hearing"), the Debtor having stated no opposition to the Motion at the Hearing, and the record of this case, for the reasons stated on the record, the Motion is GRANTED IN PART and DENIED IN PART as follows.

The Movant's request for an order approving assignment of his rights under 11 U.S.C. § 363(i) is denied; provided, however, if the Movant elects to exercise his rights under § 363(i) pursuant to and in accordance with the *Order Granting Motion by Joan S. Hanna, Debtor In Possession For Order Authorizing and Approving Private Sale of Real Property (528-540 VFW Parkway and 70 Brucewood Street West Roxbury [Boston], Suffolk County, Massachusetts)* [Dkt. No. 105] (the "Sale Order"), he may direct the deed to be delivered to his nominee, which may include an entity that has been established by Kendall Capital LLC in connection with the funding of the exercise of the Movant's § 363(i) rights.

Dated: 12/12/2023

By the Court,

A handwritten signature in black ink, appearing to read "Chris J. Panos", is written over a horizontal line.

Christopher J. Panos  
United States Bankruptcy Judge